

**MINUTES OF THE  
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, September 15, 2010 – 9:00 a.m. – Room 20 House Building

**Members Present:**

Sen. Kevin T. Van Tassell, Senate Chair  
Rep. Julie Fisher, House Chair  
Sen. Brent H. Goodfellow  
Sen. David P. Hinkins  
Sen. Scott K. Jenkins  
Sen. Karen Mayne  
Sen. Jerry W. Stevenson  
Sen. Stephen H. Urquhart  
Rep. Johnny Anderson  
Rep. Rebecca P. Edwards  
Rep. Janice M. Fisher  
Rep. Craig A. Frank

Rep. Stephen G. Handy  
Rep. Lynn N. Hemingway  
Rep. Michael T. Morley  
Rep. Marie H. Poulson  
Rep. Kraig Powell  
Rep. F. Jay Seegmiller  
Rep. C. Brent Wallis

**Staff Present:**

Mr. Leif G. Elder, Policy Analyst  
Ms. Shannon C. Halverson, Associate General Counsel  
Ms. Tracey Fredman, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair Fisher called the meeting to order at 9:17 a.m.

**MOTION:** Sen. Van Tassell moved to approve the minutes of the August 18, 2010 meeting. The motion passed unanimously. Sen. Goodfellow, Sen. Hinkins, Sen. Mayne, Sen. Urquhart, and Rep. Wallis were absent for the vote.

**2. 2011 General Session Draft Legislation, "Railroad and Railroad Crossing Amendments"**

Rep. Richard Greenwood introduced 2010 General Session draft legislation, "Railroad and Railroad Crossing Amendments" (2011FL-0107/005), which was distributed by staff.

Mr. Paul Boyden, Executive Director, Statewide Association of Prosecutors, discussed provisions of the legislation and responded to committee members' questions.

Rep. Seegmiller spoke in support of the legislation and the importance of railroad and railroad crossing safety.

**MOTION:** Rep. Seegmiller moved to amend the draft as follows: on line 161 after "contractor, or" insert "railroad employee, or person investigating a crime, injury or incident".

Mr. Jeffery Devashrayee, General Counsel, Union Pacific Railroad, discussed problems with repeat trespassers on railroad property and the current lack of authority for law enforcement to keep them from coming back. Mr. Devashrayee also commented on the exceptions of the proposed legislation.

Committee discussion followed.

Chair Fisher suggested that the legislation continue to be worked on and brought back to the Committee at a future meeting.

No action was taken on this item.

### **3. 2011 General Session Draft Legislation, "Special Group License Plate Amendments"**

Rep. Wayne Harper introduced 2011 General Session draft legislation, "Special Group License Plate Amendments" (2011FL-0005/010), which was distributed by staff, and discussed the provisions of the legislation.

Ms. Laurie Anderson, Autism Council of Utah, spoke in favor of special group license plates.

Committee discussion followed about the requirement that a minimum of 2,500 per type of special group license plate be issued for a three consecutive year time period, as provided for on line 136 of the legislation.

Mr. Rod Marrelli, Executive Director, Utah State Tax Commission, distributed "Special Plate Issuance, September 10, 2010," and stated that the 2,500 was derived from the cost of issuing the plates statewide.

Mr. Brad Simpson, Director, Motor Vehicle Division, Utah State Tax Commission, responded to questions about the minimum number of plates required.

**MOTION:** Rep. Anderson moved to recommend General Session draft legislation, "Special Group License Plate Amendments" (2011FL-0005/010), as a committee bill. The motion failed with Sen. Hinkins, Sen. Jenkins, Sen. Stevenson, Rep. Anderson, Chair Fisher, Rep. Handy, Rep. Morley, and Rep. Wallis voting in favor. Rep. Frank was absent for the vote.

### **4. 2011 General Session Draft Legislation, "Accident Responsibility Amendments"**

Rep. Christopher Herrod introduced 2011 General Session draft legislation, "Accident Responsibility Amendments" (2011FL-0236/003), which was distributed in the mailing packet.

Mr. Boyden discussed the provisions of the bill and responded to committee members' questions.

**MOTION:** Sen. Goodfellow moved to recommend 2011 General Session draft legislation, "Accident Responsibility Amendments" (2011FL-0236/003), as a committee bill. The motion passed unanimously. Rep. Frank was absent for the vote.

### **5. HOV Lane Report**

Mr. John Njord, Executive Director, Utah Department of Transportation (UDOT), distributed and reviewed "I-15 Express Lanes Map," "I-15 Express Lanes Toll Rates," "Express Lanes Performance Measures," and "I-15 Crash Data."

Mr. Carlos Bracerias, Deputy Director, UDOT, responded to questions about violations of express lanes.

Mr. Njord discussed the background and bidding process for the reconstruction of I-15 in Utah county, which will extend from Lehi to Spanish Fork. Mr. Njord explained the circumstances that led to a formal

bid protest filed by the losing contractor, and the basis for the \$13 million settlement decision made by UDOT. Mr. Njord and Mr. Braceras responded to committee members' questions.

Committee discussion followed. No action was taken on this item.

**6. Operation of Bicycles and Mopeds on Roadways**

This item was not discussed.

**7. Transit Issues**

This item was not discussed.

**8. Other Items / Adjourn**

Chair Fisher adjourned the meeting at 12:08 p.m.